

Amend 2 Cal. Code Regs. Section 18450.4 to read:

§ 18450.4. Contents of Disclosure Statements. Advertisement Disclosure.

(a) The disclosure requirements of Government Code sections 84503 and 84506, subdivision (a)(2), shall not apply to general purpose committees, as defined by Government Code section 82047.5.

(b) Where a “disclosure statement” or “disclosure” is required for an advertisement under Government Code sections 84503, 84504, and 84506, the following shall apply to the committee that authorized and paid for the advertisement:

(ac) Disclosures required under Government Code sections 84503 and 84506 shall include the name, pursuant to 2 Cal. Code Regs. section 18450.3, of the \$50,000 contributor or contributors. The disclosure shall explicitly indicate that the contributor or contributors were major donors to the committee by stating, for example, "major funding by" or "paid for by." In the case of a contributor that is a committee pursuant to Government Code section 82013, subdivision (a), the word "committee" shall be included in the disclosure.

(bd) Where two or more ~~contributions~~ contributors of identical amounts meet the threshold for the top two contributors, the order of disclosure shall be made beginning with the most recent contributor of that amount.

(ee) The disclosures required by Government Code section 84503, 84504 and 84506 shall be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice of the identity of the person(s) or committee(s) that paid for the communication, as specified below.

(1) Video: The information shall be both written and spoken either at the beginning or at the end of the communication, except that if the disclosure statement is written for at least five

seconds of a broadcast of thirty seconds or less or ten seconds of a sixty second broadcast, a spoken disclosure statement is not required. The written disclosure statement shall be of sufficient size to be readily legible to an average viewer and air for not less than four seconds.

(2) Audio: The information shall be spoken in a clearly audible manner at the beginning or end of the communication and shall last at least three seconds.

(3) Print Media: All disclosure statements on printed materials designed to be distributed personally or through the mail shall be printed in type no less than 10 points in size and printed in a contrasting color to the background on which it appears.

(4) Over Size Print Media: All disclosure statements on printed materials that are larger than those designed to be individually distributed (e.g., billboards) shall constitute at least five percent (5%) of the height of the advertisement and printed in a contrasting color.

(5) If a single print media advertisement consists of multiple pages, folds, or faces, the disclosure requirement of this section applies only to one page, fold, or face.

(6) Each communication that would require a disclosure if distributed separately, and that is included in a package of materials, must contain the required disclosure.

NOTE: Authority cited: Section 83112, Government Code.

Reference: Sections 84503, 84504 and 84506, Government Code.

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History

3 1. New section filed 1/24/02 as an emergency; effective 1/24/02. COC must be transmitted
4 to OAL by 5/24/02 or emergency language will be repealed by operation of law on the
5 following day.

6 2. COC as to 1/24/02 order filed 6/27/02.

7 3. New subsection (b) and subsection relettering filed 10-26-04; operative 11-25-04.

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